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March 20, 2024

Via CM/ECF

Hon. José R. Almonte, U.S.M.J.
United States District Court – District of New Jersey
Frank R. Lautenberg U.S. Post Office & Courthouse Building
2 Federal Square
Newark, NJ 07102

**Re: International Union of Operating Engineers, Local 825 v. International
Longshoremen's Association, et al.
Civil Action No. 2:23-cv-03689-EP-JRA**

Dear Judge Almonte:

We represent Plaintiff. Pursuant to the Court's February 21, 2024 Letter Order (ECF No. 36), the deadline for any party to request leave to file a motion to add new parties or amend pleadings is March 21, 2024. For the following reasons, we now write to respectfully request that the deadline for any party to make such a request be extended, up to and including April 12, 2024. Please be advised that all parties consent to this request.

The parties are actively pursuing discovery in this case. In accordance with the Court's prior scheduling Orders, the parties served their respective responses to paper discovery requests on January 31, 2024. After the parties completed their review of the responses, they served letters upon one another, identifying the deficiencies they found within the responses. Defendants served their deficiency letter on February 21, 2024, while Plaintiffs served their deficiency letter on March 13, 2024.

In accordance with L.Civ.R. 16.1, L.Civ.R. 37.1, and Paragraph 4(a) of the Court's Case Management Order, the parties continue to review the issues raised by the deficiency letters and will be meeting and conferring in good faith to resolve any discovery disputes prior to raising those disputes with the Court. Specifically, the parties are scheduled to meet on Tuesday, March 26, 2024 to discuss (and hopefully resolve) the issues.

Additionally, Plaintiff is engaging in third-party "paper" discovery. Specifically, on February 21, 2024, Plaintiff issued two separate third-party subpoenas, seeking the production of, *inter alia*, certain documents and electronically stored information. These subpoenas were originally returnable on March 15, 2024. However, subsequent to the service of those subpoenas, the parties upon whom the subpoenas were served raised issues concerning the scope of the

documents and information requested in the subpoenas. In an effort to address those concerns, Plaintiff is participating in video conferences with those parties on March 20, 2024, to discuss the issues and potential avenues to address them. Presently, the subpoenas that have been served upon those parties are returnable on March 27, 2024 and March 29, 2024, respectively. In addition to these two subpoenas, Plaintiff served another third-party subpoena (upon a separate and distinct party) on March 7, 2024. That subpoena is also returnable on March 29, 2024.

Since the parties themselves continue to confer with one another concerning any deficiencies in their discovery responses, and since we are continuing to engage in the third-party discovery as outlined above, an extension of the current March 21, 2024 deadline is necessary to allow us to obtain the additional, relevant documents and information and meaningfully determine whether to request leave to file a motion to amend the pleadings or add additional parties. Thus, we respectfully request that the deadline for any party to make such a request be extended, up to and including April 12, 2024. As noted, all parties consent to this request.

We thank the Court for its consideration of this matter.

Respectfully submitted,
DeCotiis, FitzPatrick, Cole & Giblin, LLP

By: 

Alexander Hemsley, III, Esq.

cc: All counsel of record (via CM/ECF)